

Notice of Allowability

Application No.

09/870,373

Examiner

Sajeda Muhebbullah

Applicant(s)

CULE ET AL.

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 12/21/2005.
2. ☒ The allowed claim(s) is/are 1-20, 22-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 03/16/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT and REASONS FOR ALLOWANCE

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Attorney James J. Barta, Jr. on March 16, 2006.

3. The application has been amended as follows:

Claim 1 is amended as follows:

1. A method of graphically indicating patient information in a confidential manner, said method comprising the steps of:

relating each of a plurality of icons to a predetermined position in a fixed image associated with a patient;

receiving information identifying one or more conditions of the patient, each of the identified conditions of the patient being associated with a location on the body of the patient;

selecting at least one icon from the plurality of icons, said selected icon having a correspondence[corresponding] to at least one of the identified conditions of the patient, wherein the correspondence is recognizable in the fixed image only by a person having prior knowledge of the correspondence; and

creating the fixed image, said fixed image including the selected icon located at the predetermined position related thereto in the fixed image, wherein the predetermined position related to the selected icon in the fixed image is unrelated to[independent of] the location, on the

Art Unit: 2174

body of the patient, associated with the identified condition of the patient corresponding to the selected icon to protect the privacy of the patient.

Claim 14 is amended as follows:

14. The method of claim 1, wherein one[One] or more computer readable media have[having] computer-executable instructions for performing the method[recited in claim 1].

Claim 15 is amended as follows:

15. A system for graphically indicating information about a patient in a confidential manner, wherein the patient has one or more conditions identified from a set of available conditions, said system comprising:

an image associated with the patient;

one or more icons, each of said one or more icons corresponding to at least one of the available conditions, and each of said one or more icons being related to a predetermined position in the image; and

a creation component for creating a fixed representation of the image with selected icons, each of the selected icons having a correspondence[corresponding] to at least one of the identified conditions of the patient, wherein the correspondence is recognizable in the fixed representation of the image only by a person having prior knowledge of the correspondence, each of the identified conditions of the patient being associated with a location on the body of the patient, each of the selected icons being located at the predetermined position related thereto, and wherein the predetermined position, related to each of the selected icons in the fixed image is unrelated to[independent of] the location, on the body of the patient, associated with the

Art Unit: 2174

identified condition of the patient corresponding to the selected icon to protect the privacy of the patient.

Claim 20 is amended as follows:

20. In a computer system having a graphical user interface including a display and a user interface selection device, a method of providing and selecting from a menu on the display, comprising the steps of:

allowing a user to select with the user interface selection device one or more icons from the menu, each of said one or more icons having a correspondence[corresponding] to a condition of a patient and being assigned to a predetermined position in an image representative of the patient, wherein the correspondence is recognizable in the image only by a person having prior knowledge of the correspondence, said condition of the patient being associated with a location on the body of the patient; and

displaying each of the said one or more icons on the image on the display, each of said one or more icons being displayed at the predetermined position assigned thereto in the image, wherein the predetermined position assigned to the icon in the fixed image is unrelated to[independent of] the location, on the body of the patient, associated with the identified condition of the patient corresponding to the icon to protect the privacy of the patient.

Claim 28 is amended as follows:

28. The method of claim 20, wherein one[One] or more computer readable media have[having] computer-executable instructions for performing the method[recited in claim 20].

Claim 29 is amended as follows:

29. A system for graphically indicating patient information in a confidential manner, said system comprising:

means for relating each of a plurality of icons to a predetermined position in a fixed image associated with a patient and receiving information identifying one or more conditions of the patient, each of the identified conditions of the patient being associated with a location on the body of the patient[.];

means for selecting a first icon and a second icon from the plurality of icons, each of said first icon and said second icon having a correspondence[corresponding] to at least one of the identified conditions of the patient, wherein the correspondence is recognizable in the fixed image only by a person having prior knowledge of the correspondence.; and

means for creating the fixed image, said fixed image including the first icon located at the predetermined position related thereto in the fixed image, said fixed image including the second icon located at the predetermined position related thereto in the fixed image, wherein the predetermined position related to the first icon in the fixed image is unrelated to[independent of] the location, on the body of the patient, associated with the identified condition of the patient corresponding to the first icon, and [the] wherein the predetermined position related to the second icon in the fixed image indicates the location, on the body of the patient, associated with the identified condition of the patient corresponding to the second icon.

4. The following is an examiner's statement of reasons for allowance:

Cain teaches a method of graphically indicating patient information, said method comprising the steps of relating each of the plurality of icons to a position in a fixed image associated with a patient (Cain, col.3, lines 40-49); receiving information identifying one or more

Art Unit: 2174

conditions of the patient, each of the identified conditions of the patient being associated with a location on the body of the patient (Cain, col.3, lines 40-49); selecting at least one icon from the plurality of icons, said selected icon corresponding to at least one of the identified conditions of the patient (Cain, col.3, lines 40-49); and creating the fixed image, said fixed image including the selected icon located at the position related thereto in the fixed image (Cain, col.3, lines 40-49). However, Cain does not teach wherein the icon's position is unrelated to the condition's location. Therefore, neither Cain alone, or in combination with Richardson teach or suggest the claimed limitations as recited in the independent claims 1, 15, 20, and 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2174

Communications

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:00 am to 4:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sajeda Muhebbullah

Patent Examiner

Art Unit 2174